

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF
AMERICA

v.

ANTHONY VILLANUEVA
and DREW INMAN

Honorable Peter G. Sheridan

Criminal No. 19-292 (PGS)

ORDER

WHEREAS the Government requests that the Court reconsider the finding of prosecutorial misconduct set forth in the Memorandum and Order dated September 11, 2023 (ECF No. 144); and

WHEREAS a telephone conference was held on October 2, 2023, and defense counsel raised no objections to the Government's motion for reconsideration; and

WHEREAS the Government's letter brief submits new facts and arguments that were not considered previously by the Court; and

WHEREAS, in light of the facts and arguments set forth in the Government's letter brief (ECF No. 146), the Court issues this Order as a

supplement to my previously issued Memorandum and Order (ECF No. 144); and

WHEREAS upon reconsideration of the supplemental facts and arguments, the finding of prosecutorial misconduct is deemed null and void; and

WHEREAS the parties agree that the Judgment of Acquittal remains in effect;

IT IS on this 2nd day of October, 2023:

ORDERED that all references that the evidence was insufficient to sustain a conviction set forth in the previously issued Memorandum and Order (ECF No. 144) remain in effect; and it is further

ORDERED that defendant Drew Inman's oral motion for a judgment of acquittal based on insufficient evidence made at trial on May 8, 2023 (T. 687, 16-21) was granted and remains in effect; and it is further

ORDERED that the motion for reconsideration (ECF No. 146) is **GRANTED** in light of the supplemental facts and argument submitted by the Government. As such, defendant Drew Inman's Motion for a

Judgment of Acquittal based on prosecutorial misconduct (ECF No. 120) is **DENIED**; and it is further

ORDERED that defendant Drew Inman's judgment of acquittal of Count 1, Deprivation of Rights under Color of Law (18 U.S.C. § 242) remains in effect; and

ORDERED that the judgment of acquittal (ECF No. 145) that the Clerk of the Court entered as to defendant Drew Inman on Count 1, Deprivation of Rights under Color of Law (18 U.S.C. § 242) remains in effect.



PETER G. SHERIDAN, U.S.D.J.